GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants – Transport Department – Allegation of collection of illegal amounts from the Transport Operators against the officials of the office of the Deputy Transport Commissioner, Guntur – Sri P. Koteswara Rao, the then Senior Asst(now retired) - Placed before the Tribunal for Disciplinary Proceedings on his defence – Charge Established – Imposition of penalty of withholding of 5% pension permanently – Orders – Issued.

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TRANSPORT, ROADS AND BUILDINGS (VIG-Tr.1) DEPARTMENT

G.O.RT.No. 77 Dated: 11-02-2016

READ – the following:-

1) From the Director General, Anti Corruption Bureau, Hyderabad Letter C.No.40/DES-VGT/2004, Dated 12.10.2004.
2) Govt. Letter No.12019/Vig.III/2/2004-3,Dated. 12.7.2005.
3) From the Secretary, Tribunal for Disciplinary Proceedings, Hyderabad, Lr. Dis. No. S/10/2010, Dated 29.5.2010.
4) Govt.Memo.No.12019/Vig.III/2/2004-14, TR&B Deptt., Dated 8.11.2010.
5) Representation from Sri P.Koteswara Rao, the then Sr.Asst.
6) Govt.Memo.No.12019/Vig.III/2/2004-19,Dated 10.06.2013.
7) Representation from Sri P.Koteswara Rao, Senior Asst.(Retd) , dated. 19.12.2015.

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ORDER:

Based on the surprise check conducted by the Anti Corruption Bureau Officials on 27/28.5.2004, over the office of the Deputy Transport Commissioner, Guntur Sri P.Koteswara Rao, Senior Assistant, O/o. Deputy Transport Commissioner, Guntur was placed on his defence before the Tribunal for Disciplinary Proceedings along with other officials vide Government letter 2nd read above.

2. The Tribunal for Disciplinary Proceedings have framed the following charge against Sri P.Koteswara Rao :--

"that Sri P.Koteswara Rao, while working as Senior Assistant, O/o. Deputy Transport Commissioner, Guntur colluded with office staff and collected amount from the public illegally through private persons appointed by him and shared the same among him and thereby he is guilty of misconduct within the meaning of Rule 3 of Andhra Pradesh, Civil Services (Conduct) Rules, 1964 read with Rule 2(b) of Andhra Pradesh, Civil Services (Disciplinary Proceedings Tribunal) Rules, 1989 framed under the Andhra Pradesh, Civil Services (Disciplinary Proceedings Tribunal) Act, 1960 as amended in 1993".

3. The Tribunal for Disciplinary Proceedings have conducted a detailed enquiry and submitted its report in TEC No.17/2006 through letter 3rd read above duly holding that the charge framed against him is established.

4. In the Memo. 4th read above a copy of the enquiry report has been communicated to Sri P.Koteswara Rao along with others for his representation if any in the matter for which, he submitted his representation vide 5th read above stating inter-alia that the entire report of the TDP is totally perverse and one sided and also against to

(PTO)

the principles of natural justice, fair play and equity and the same is liable to be rejected outright as the findings of the TDP holding him guilty of the charge is not based on any legal, trustworthy and acceptable evidence either documentary or oral available on record and therefore requested to drop further action against him.

5. Government after careful examination of the matter have viewed that the representation of the charged officer is not satisfactory and proposed to impose a punishment of withholding of 5% of pension permanently against Sri P. Koteswara Rao, Senior Assistant (now retired).

6. In the Memo 6th read above, a Show Cause as to why the punishment of withholding of 5% pension permanently should not be imposed against him under Rule 9 of Andhra Pradesh Revised Pension Rules, 1980 Notice issued to Sri P.Koteswara Rao, Senior Asst.(Retd).

7. Sri P.Koteswara Rao in the reference 7th read above, submitted his Representation, inter-alia stating that the findings of the Hon'ble Tribunal are not at all sustainable and that the findings are based on the mere imagination of the learned Chairman of the Hon'ble Tribunal; that the other Government servants including the then DTC, have been exonerated by the Government and requested to drop further action against him.

8. Government, after careful examination of the mater taking into consideration of the facts and circumstances of the case, have decided to impose a punishment of withholding of 5% pension permanently against Sri P.Koteswara Rao, Senior Assistant(Retired).

9. Accordingly, Government hereby impose the punishment of withholding of 5% pension permanently against Sri P. Koteswara Rao, Senior Assistant(Retired).

10. The Transport Commissioner, Andhra Pradesh, Hyderabad shall take further action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

B.SAM BOB
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
Sri P.Koteswara Rao, Senior Assistant(Retired) through the Transport Commissioner, Andhra Pradesh, Hyderabad.
The Transport Commissioner, Andhra Pradesh, Hyderabad.

Copy to:
The Director General, Anti Corruption Bureau, Andhra Pradesh, Hyderabad.
The Secretary, Andhra Pradesh Vigilance Commission, Hyderabad.
SF/SC.

//FORWARDED:: BY ORDER//

SECTION OFFICER